

Planning Commission Public Hearing
Staff Report
March 1, 2007



Case:	9-58-06, Change in zoning from R-6 multi-family residential to R-7 multi-family residential on property located at 129 N. Shelby & 800, 802, and 804 Franklin Street (Tax Block 19F, Lot Numbers 154, and 97 - 99), containing 0.759 acres and being in Louisville Metro.
Project Name:	Edison Park
Location:	129 N. Shelby & 800, 802 & 804 Franklin Street
Owner(s):	Sycamore Station LLC
Applicant:	Sycamore Station LLC
Representative:	Paul Whitty, Greenebaum Doll & McDonald, PLLC
Project Size/Area:	1.1 acres
Jurisdiction:	Louisville Metro
Council District:	4 – David Tandy
Case Manager:	Kristen Millwood, Planner II and Chris French, AICP

Request

Approval of a change in zoning from R-6 multi-family residential to R-7 multi-family residential and a detailed district development plan.

Approvals Needed:

Rezoning Request
Traditional Design Alternative

Staff Recommendation

Staff recommends approval of the zoning change and the approval of the Traditional Design Alternative.

Case Summary / Background

Summary

The applicant requests to re-zone the subject parcel from R-6 to R-7 to allow multi-family condominium development on tracts one and two which are separated by an alley. Tract two is vacant and would consist of 9 units all new construction. Tract one is vacant but houses the Wesley house development. This tract will consist of 16 units and include a mixture of new construction and renovation of existing historic structures. The proposal includes the demolition of

two non-historic connecting structures on tract one and a non-historic rear addition. Parking for both tracts will be both on site as well as on-street. The units will include amenities such as balconies and roof gardens.

This proposal includes a request for alternative design compliance from traditional neighborhood site design standards from the Land Development Code. Due to the density of the units and amount of on-site paved area, as well as the desire to adaptively re-use existing historic structures on tract one, the applicant has applied for this alternative design option which allows for development to deviate from the four components of traditional residential site design (public realm area, principal structure area, private yard area and accessory structure area).

The Traditional Neighborhood Design Alternative states that the Planning Commission may approve an alternative site design pattern for developments creating three or more contiguous residential structures. To comply with the alternative, the applicant submits a site plan and justification statement that detail divergence from the traditional four design areas and demonstrates how the proposal is compatible with the adjacent development and fulfills applicable provisions of the comprehensive plan.

The applicant met with staff several times to discuss this alternative and design of this site.

Site Context

This site is located in Butchertown and is bordered by Franklin, North Shelby and East Washington Streets. It lies east of I-65.

Land Use / Zoning District / Form District

	Land Use	Zoning	Form District
<i>Subject</i>			
Existing	Vacant	R-6	Traditional Neighborhood
Proposed	Multi-family residential	R-7	Traditional Neighborhood
<i>Surrounding</i>			
North	Residential/Commercial	R-6	Traditional Neighborhood
South	Residential	R-6	Traditional Neighborhood
East	Residential	R-6	Traditional Neighborhood
West	Commercial/Manufacturing	M-2	Traditional Neighborhood

Background

There have been no previous actions on this site.

Project History

Project History	Date	Issues addressed / discussion / changes to proposal
Pre-app review	9/21/06	
Project submittal	10/23/06	
Revision submittal #1	12/7/06	
Revision submittal #2	12/29/06	
Revision submittal #3	1/8/07	
LD&T review	1/11/07	

Note: The following information represents staff analysis of the subject property with respect to site inspection/observation, sound planning practices, and adopted policies and regulations of the jurisdiction. Materials submitted by the applicant or their representative prior to the deadline for filing information related to cases docketed for this hearing were reviewed and specifically applied in the staff review of this request. The board is advised to consider this staff report as well as new information introduced at the hearing in formulating their decision.

Site Inspection Committee Comments

Date: 2/2/2007

Commissioners: Queenan and Hatfield

COMMENTS:

1. Appears to be a good re-use
2. Compatible to neighborhood
3. Offers different housing type
4. Offers good opportunity to walk
5. Historic challenges are being dealt with

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Staff Findings

This proposal received approval from the Historic Landmarks and Preservation Districts Commission on December 13, 2006. Prior to that approval, the applicant had sought and obtained preliminary approval from the Butchertown Architectural Review Committee of said Commission on October 25, 2006. Prior to that, design staff and the applicant had met (including on site) to preliminarily review the project.

This site proposes a new model of development in an older neighborhood. It is located at the edge of the traditional residential pattern (just beyond the site is M-2 zoned land) and has potential to revitalize this corner. It proposes a dense new model of housing in an area of strong historical context that is respectful of its surroundings. The applicant and staff have reviewed the proposed open space landscaping and renderings, they appear to be sufficient to fulfill the traditional design alternative.

Relationship to the Comprehensive Plan – Cornerstone 2020 Plan Elements:

Community Form

The proposed development is in conformance with Guideline 1: Community Form because the development and its unique combination of historic preservation, adaptive reuse and the inclusion of green building design elements ensures that this project is compatible to the surrounding historic traditional neighborhood.

Compatibility

The proposed development has been approved in accordance with the design guidelines of the Butchertown Preservation District and provides a compatible adaptive reuse of historic assets that meets the intent of Guideline 3: Compatibility.

Open Space

The proposed development is in conformance with Guideline 4: Open Space by providing a mix of unique communal and private open space for the residents of the development.

Historic Resources

The proposed development is in conformance with Guideline 5: Natural Areas, and Scenic and Historic Resources by the combination of historic preservation and adaptive reuse of historic structures.

Mobility/Transportation

The proposed development is in conformance with Guidelines 7: Circulation and Guideline 9: Bicycle, Pedestrian and Transit by creating an infill residential development that conforms to the intent of the traditional neighborhood form by promoting walkable and transit supportive development

Relationship to Neighborhood, Small Area, Corridor or Other Plans

The Butchertown Neighborhood is currently working on a neighborhood plan, the proposed development appears to support the efforts to strengthen this historic traditional neighborhood.

Standard of Review

Criteria for granting the proposed rezoning:

1. The proposed rezoning complies with the applicable guidelines and policies Cornerstone 2020; **or**
2. The existing zoning classification is inappropriate and the proposed classification is appropriate; **or**
3. There have been major changes of an economic, physical, or social nature within the area involved, which were not anticipated in Cornerstone 2020, which have substantially altered the basic character of the area.

Technical Review

1. The applicant has submitted an open space and landscape concept plan, this plan meets the intent of the design flexibility afforded by the Traditional Design Alternative.
2. A five foot landscape buffer area would normally be required along the alley to screen off-street parking. Staff and the applicant have met to discuss this issue. Staff has agreed to approve an alternative landscape plan (that would not include the 5 foot buffer) for this site because of the addition of roof top open space and the inclusion of 'green' roof elements.

Attached Documents / Information

LOJIC - Standard Information Map - Microsoft Internet Explorer provided by Louisville Metro

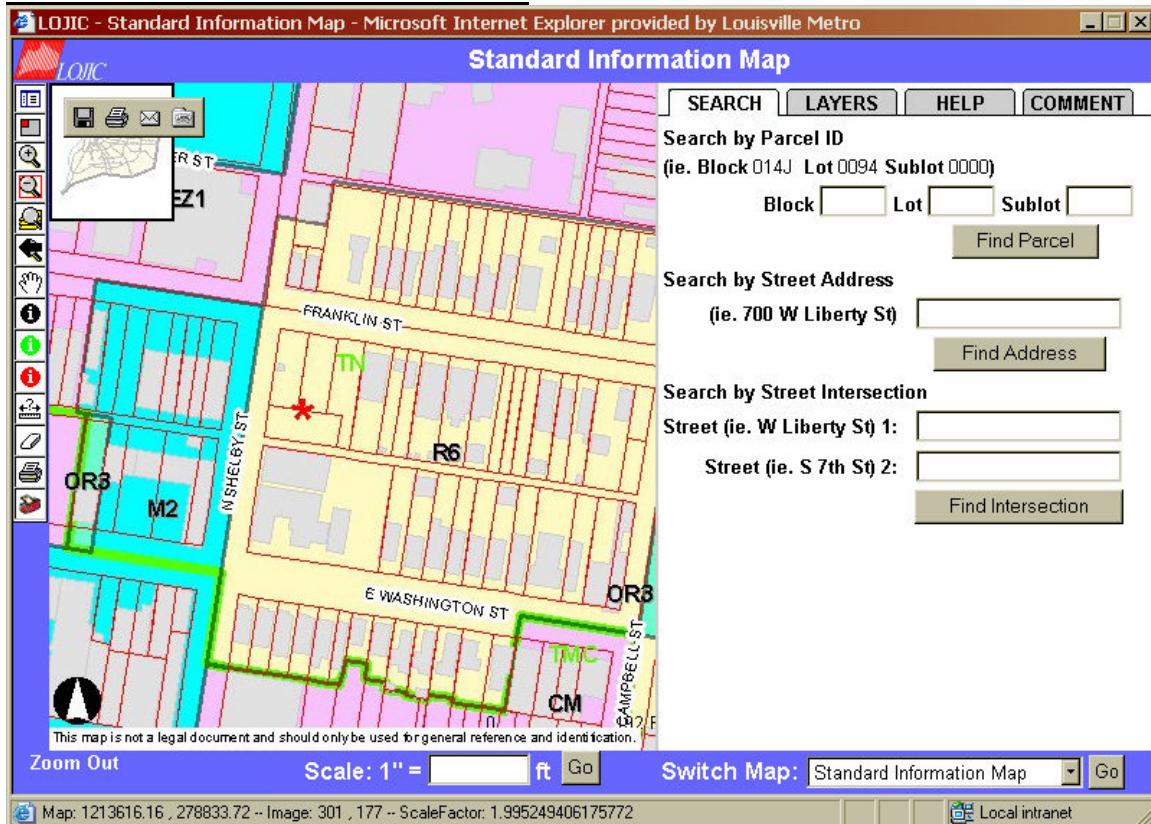
Standard Information Map

SEARCH LAYERS HELP COMMENT

Search by Parcel ID
(ie. Block 014J Lot 0094 Sublot 0000)
Block Lot Sublot

Search by Street Address
(ie. 700 W Liberty St)

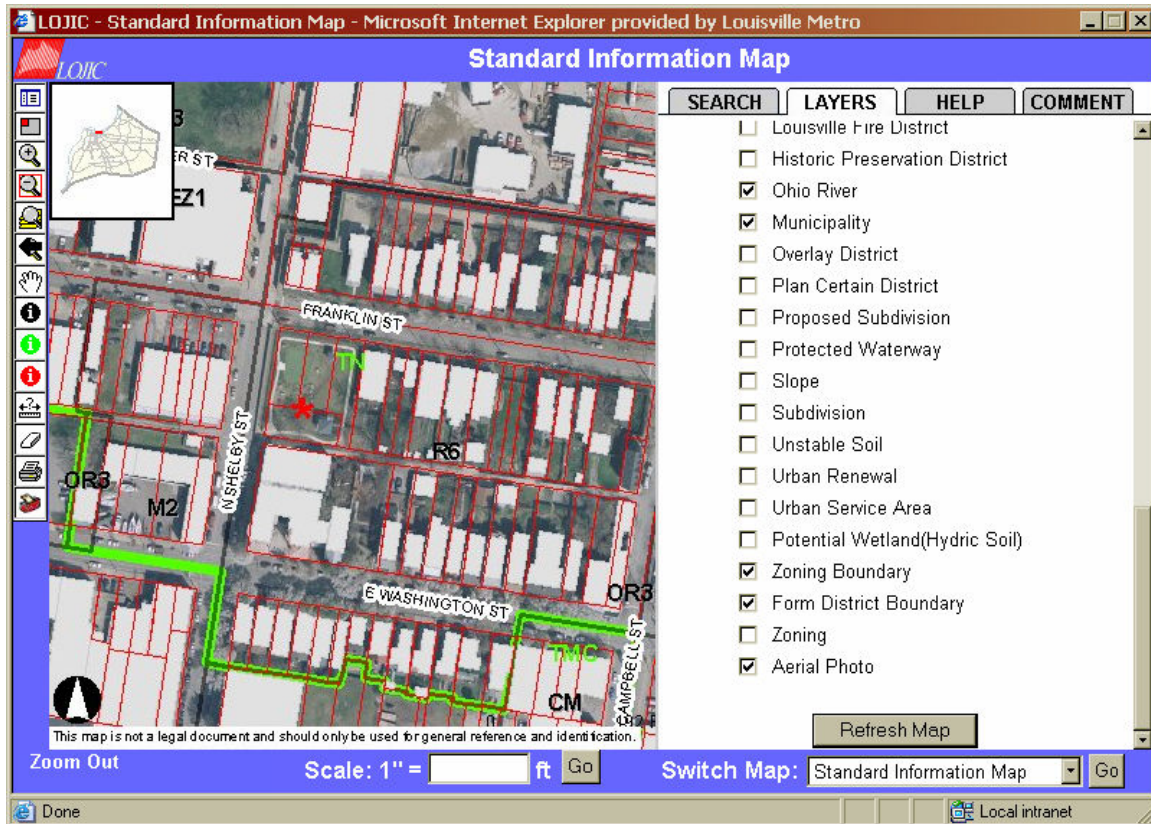
Search by Street Intersection
Street (ie. W Liberty St) 1:
Street (ie. S 7th St) 2:



This map is not a legal document and should only be used for general reference and identification.

Zoom Out Scale: 1" = ft Switch Map: Standard Information Map

Map: 1213616.16 , 278833.72 -- Image: 301 , 177 -- ScaleFactor: 1.995249406175772 Local intranet



Notification

The following forms of notification were provided pertaining to this proposal:

Notification

Date	Description	Recipients
12/22/06 1/29/07	Notice of LD&T Meeting Notice of Public Hearing	Adjoining property owners and neighborhood group listing.

Proposed Binding Elements – Docket #9-58-06V

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. The density of the development shall not exceed 22 dwelling units per acre (9 units on 0.41 acres) on tract two and 25.4 dwelling units per acre (16 units on 0.63 acres) on tract one.
3. Signs shall be in accordance with Chapter 8.
4. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
5. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
6. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:
 - a. The development plan must receive full construction approval from Louisville Metro Department of Inspections, Permits and Licenses, Louisville Metro Public Works and the Metropolitan Sewer District.
 - b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit, this plan shall include the planting details outlined within the preliminary landscape exhibit date received Feb. 6, 2007 . Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
 - c. A minor subdivision plat shall be recorded creating the lot lines as shown on the development plan. A copy of the recorded instrument shall be submitted to the Division of Planning and Design Services; transmittal of approved plans to the office responsible for permit issuance will occur only after receipt of said instrument.

7. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
8. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
9. The materials and design of proposed structures shall be substantially the same as depicted in the rendering as presented at the March 1, 2007 Planning Commission meeting.
10. At the time a building permit is requested, the applicant shall submit a certification statement to the permit issuing agency, from an engineer, or other qualified professional stating that the lighting of the proposed development is in compliance with Chapter 4 Part 1.3 of the land development code and shall be maintained there after. No building permits shall be issued unless such certification statement is submitted. Lighting shall be maintained on the property in accordance with Chapter 4 Part 1.3 of the land development code.

The above binding elements of the district development plan are agreed to by the property owner _____, 2006.

OWNER OR OWNER'S AUTHORIZED REPRESENTATIVE

All binding elements and/or conditions of approval stated in this report are accepted in total without exception by the entity requesting approval of this (these) development item(s).

Name

Title

Date